

RESOLUTION NO. A-\_\_\_\_\_

1 WHEREAS, the Final Plat of Spilkers 4th Addition has been submitted to the  
2 Planning Department for approval by the City of Lincoln; and

3 WHEREAS, the conditions of approval of said Final Plat include the  
4 requirements that the subdivider dedicate the remainder of the half-street of N. 33rd  
5 Street and improve N. 33rd Street to urban standards, that each lot have access and  
6 frontage to a public or private road, and that a public water system and a public sanitary  
7 sewer system be installed within said Final Plat; and

8 WHEREAS, applicant has requested a modification to waive said requirements  
9 pursuant to § 26.31.010 of the Lincoln Municipal Code; and

10 WHEREAS, the Planning Commission has reviewed said request and has made  
11 recommendations thereon; and

12 WHEREAS, the City Council finds that the strict application of all requirements  
13 would result in actual difficulties or substantial hardship or injustice to the property  
14 owner.

15 NOW, THEREFORE, BE IT RESOLVED by the City of Lincoln, Nebraska:

16 That requested waivers of the following conditions of approval for the Final Plat  
17 of Spilkers 4th Addition are hereby approved:

18 1. The requirement of Section 26.23.140(g) that every lot shall have frontage  
19 and access to a public or private street.

20 2. The requirement of Section 26.27.010 that all streets abutting a new

subdivision shall be paved with curb and gutter is waived for N. 33rd Street.

3. The requirement of Section 26.27.020 that sidewalks be constructed on the side of the street abutting the subdivision is waived along N. 33rd Street.

4. The requirement of Section 26.27.030 that a water distribution system be constructed in conformance with the water main design standards.

5. The requirement of Section 26.27.040 that a wastewater collection system be constructed in accordance with the design standards.

6. That nothing herein shall be construed to preclude the City Council from ordering the construction of improvements within this subdivision at any time in the future upon proper notice to the owners, their successors or assigns.

All other conditions for approval of the Final Plat of Spilkers 4th shall remain in full force and effect.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Approved this \_\_\_\_ day of \_\_\_\_\_, 2004:

\_\_\_\_\_  
Mayor